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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/484,260	01/18/2000	Thomas C. Gipson	P-355.5(Reissue)	9484

7590 07/22/2002
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112 E. Pecan Street suite 2100
San Antonio, TX 78205

EXAMINER

SUCHFIELD, GEORGE A

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 07/22/2002

14

Please find below and/or attached an Office communication concerning this application or proceeding.

20120309 09:21:24

Art Unit: 3672

1. The communications filed on June 24, 2002 is not fully responsive to the prior Office Action. The Amendment and Declaration filed June 24, 2002 fail to comply with the requirement set forth in item II., 1., of the DECISION TO MERGE REEXAMINATION AND REISSUE PROCEEDINGS, dated November 28, 2000, wherein the patent owner must maintain identical amendments in the reissue and the reexamination files for purposes of the merged proceeding. Accordingly, applicant must submit corresponding copies of both the said Amendment and Declaration for entry into the reexamination files (Such papers have been entered into the reissue file as Paper Nos. 12 and 13). The response appears to be *bona fide*, but through an apparent oversight or inadvertence, consideration of some matter or compliance with some requirement has been omitted. Patent owner is required to deal with the omission to thereby provide a full response to the prior Office Action.

A shortened statutory period for response to this letter is set to expire ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter. If patent owner fails to timely deal with the omission and thereby provide a full response to the prior Office action, the present reexamination proceeding will be terminated (37 CFR 1.550(d)).

2. The submission, i.e., the said Amendment and Declaration filed June 24, 2002, noted above, is further defective because it appears that the submission was not served on the third party. After the filing of a request for reexamination by a third party requester, any document filed by either the patent owner or the third party requester must be served on the other party in the reexamination proceeding in the manner provided in 37 CFR 1.248. See 37 CFR 1.550(f).


Art Unit: 3672

It is required that service of the submission be made, and a certificate of service be provided to the Office within a shortened statutory period of ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter. If service of the submission is not timely made, the sub-mission may be denied consideration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Suchfield whose telephone number is 703-308-2152. The examiner can normally be reached on M-F (6:30 - 3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 703-308-2151. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7697 for regular communications and 703-305-7697 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


George Suchfield
Primary Examiner
Art Unit 3672

gs
July 19, 2002

20130909 09:21:50